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A Professional Corporation

**Date** May 27, 2004  
**To** Office of Initial Patent Examination's Filing Receipt Corrections  
**From** Ganz Law PC  
**Re** Plant Patent Application No. 10/783,330  
Our Ref: COS-2.009  
**Fax** (703) 746-9195  
**Pages** 3 + cover sheet

Sir:

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Attached please find the Filing Receipt for the above-referenced application correcting inventor Harlan Cosner's name from "Hartan" to "Harlan", and in the title, "Impatiens" to "Impatiens" and "Improved" to "Improved."

Also attached is the Plant Patent Application Transmittal, as well as the first page of the patent application, which show the correct inventor name and title.

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Sincerely,  
Ganz Law, PC

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## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPL NO.	FILING OR 371 (e) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/783,330	02/20/2004	1661	265	COS-2.009	2	1	1

022874  
 BRADLEY M GANZ, PC  
 P O BOX 10105  
 PORTLAND, OR 97296

CONFIRMATION NO. 6905

## FILING RECEIPT

\*OC000000012680467\*

Date Mailed: 05/17/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

HARLAN  
 (Hartan) B. Cosner, Rogue River, OR;  
 Susan Cosner, Rogue River, OR;

## Domestic Priority data as claimed by applicant

## Foreign Applications

If Required, Foreign Filing License Granted: 05/14/2004

Projected Publication Date: 08/25/2005

Non-Publication Request: No

Early Publication Request: No

\*\* SMALL ENTITY \*\*

## Title

IMPATIENS  
 Impatiens plant named 'TiLav (improved)' IMPROVED

## Preliminary Class

PTO/SB/19 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PLANT PATENT APPLICATION TRANSMITTAL</b>  <i>(Only for new nonprovisional applications filed under 37 CFR 1.53(b))</i>	Attorney Docket No.	COS-2.009
	First Named Inventor	Harlan Cosner
	Title	Impatiens Plant Named 'Tilav ...'
	Express Mail Label No.	EV329253891US

ADDRESS TO:	Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450
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APPLICATION ELEMENTS <i>See MPEP chapters 500 &amp; 1600 concerning plant patent application contents.</i>	ACCOMPANYING APPLICATION PARTS
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1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit on original, and a duplicate for fee processing)</i> 2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. 3. <input checked="" type="checkbox"/> Specification <i>[Total Pages 12]</i> <i>(preferred arrangement set forth below)</i> - Descriptive title of the invention - Cross References to Related Applications - Statement Regarding Fed sponsored R & D - Latin name of genus and species - Variety denomination - Background of the invention - Brief Description of the Drawings - Detailed Botanical Description - A single claim - Abstract of the Disclosure 4. <input checked="" type="checkbox"/> Color drawing(s) <i>[Total Sheets 2]</i> <i>(2 copies required - 37 CFR 1.165(b))</i> 5. Date of Declaration <i>[Total Pages 2]</i> a. <input checked="" type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76.	7. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 8. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of Attorney <i>(when there is an assignee)</i> 9. <input type="checkbox"/> English Translation Document (if applicable) 10. <input type="checkbox"/> Information Disclosure Statement (IDS) PTO-1449 <input type="checkbox"/> Copies of IDS Citations 11. <input type="checkbox"/> Preliminary Amendment 12. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> 13. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 14. <input type="checkbox"/> Request Nonpublication under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 15. <input type="checkbox"/> Other: .....
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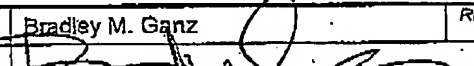
16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76.

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

*Art Unit:* \_\_\_\_\_  
Prior application information: Examiner \_\_\_\_\_  
For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

### 17. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number:	022874	OR	<input type="checkbox"/> Correspondence address below
Name			
Address			
City	State	Zip Code	
COUNTRY	Telephone	Fax	

Name (Print/Type)	Bradley M. Ganz	Registration No. (Attorney/Agent)	34,170
Signature		Date	February 20, 2004

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain of benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-8189 and select option 2.

## Impatiens Plant Named 'TiLav Improved'

### Latin Name of the Genus and Species and Variety Denomination

5        *Impatiens walleriana* plant and known by the cultivar name 'TiLav Improved'

### BACKGROUND OF THE INVENTION

#### Field of Invention

The present invention comprises a new and distinct cultivar of plant, botanically known  
10 as *impatiens walleriana* and hereinafter referred to by the cultivar name of 'TiLav Improved'.

1. The plants are useful in landscaping, window and hanging baskets and flower gardens.

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2. The plant is an *impatiens walleriana*.

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3. The plants are generally classed as an annual bedding plant.

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#### Description of the Relevant Prior Art

1. The pollen parent is an unpatented pollen producing double *impatiens walleriana*  
20 coded P-BR-131, and the seed parent is an unpatented semi-double *impatiens* coded M-BR-203. 'TiLav Improved' is both male and female sterile.

2. The seed parent was Pink and the pollen parent was Lavender, neither parent is either patented or commercially available. The cross was made in the breeder's